G. R. S. App. F. IX-4]

1942-

File No. 105-42.

Previous References.

(Courts)

Serial Nos. 3

Later References.

cls & ep. 273/42

GEN. & REV. SECRETARIAT

Serial Nos. One

Part B for October 1942

SUBJECT.

Enforcing the provisions under Secs 547 of the Penalties Enhancement Act in certain Districts of the State.

Jea
30-11-42

2352/P/42

Serial No.

Whipping

1) The Mysore Whipping Act V of 1903 is in force. ~~The~~ Page 139 of the Cr. Rules & Orders ~~provides~~ contains the High Court instructions.

The High Court may be requested to suggest to all Magistrates to endeavour Corporal punishment by Whipping wherever admissible, in lieu of imprisonment, especially in the case of juveniles ~~under~~, to avoid their being detained in jail in contact with other criminals; as complete segregation is impossible in the present Conditions of overcrowding in jails.

2) As regards adults, the Whipping Act provides Whipping for certain offences. But the Penalties enhancement Act-1943 & 7 prescribe Whipping for offences of Sabotage and Rioting

3) ~~These two~~ Sections may be ~~not~~ declared as having effect throughout Mysore under Sec 2 of that Act

Dewan)

Rao
19-10-42

(4) Sec
9/10 Cur

(5) Please put up Notes.

Cur
9-10-42
Sec 9/10

6) Submit with 2 drafts

Cur
10/10
M.

8) Dewan Sec 10/10

7) Cur 10-10-42

NOTE—Contn. Sheet

2312

File No. of 193 | General and Revenue Secretariat.

Serial No.

To
The Compiler Mysore Gazette
No P 2713 Dt 10.10.42
Declares that Sections 5 & 7 of the penalties Enhancement Act shall have effect throughout the revenue Districts of Bangalore, Mysore, Tumkur, Chitaldrug, Kolar, Kadur and Mandya

Dt. 18 1942
3318

To
The Regr. Hon Court
No 2739 Dt 10.10.42
States that a suggestion may be made to the Magistrates to sentence Convicted persons to whipping wherever admissible particularly in the case of juveniles

per Secn. II
17/10
14/10

From
The Registrar, H.C.
Roc. No: R. Dis. No: 10/42-43 Dt 16.10.1942
forg a copy of the Circular letter issued to all the Dist. Magistrates in the State and stating that the Judges of the H.C. are not prepared to go further in the matter.

Orders of the Law Secretary on the P.U.D.
"Submit with the file at once"
Sd "C.N."
17/10.

9) Submitted with the Connected file.
SM
17/10.

10) These letters from the Registrar Court is for perusal.
MKM
17/10

Law Secy 11) [illegible]
Member, Law

12) [illegible]
18/10

18.10.42

[illegible]
19.10.42

No. P 2713
dt 10.10.62 Notification 105-42-3

In exercise of the powers conferred by Section 2 of the Penalties Enhancement Act, 1962 (XXV of 1962), the Govt of His Highness the Maharaja are pleased to declare that Sections 5 and 7 of the said Act shall have effect throughout ~~Mysore~~ ~~State from this date~~.

~~Mysore~~ for the Revenue Districts of Bangalore, Kolar, Tumkur, Chitaldrug, Mysore and Mandya

By order

Secretary to Govt
Law Dept

To
The Compiler Mysore Gazette for publication in part IV of the Gazette and for supplying fifty spare copies to the Secretariat.

Copy to (1) The Regr. H.C.
(2) The Dists of District
(3) The I.G. of Police
(4) The I.G. of Prisons

No. P 2714-25
dt 10.10.62

24

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. R. 2713/Otg. 105-42-3

General and Revenue Secretariat,

Dated Bangalore the 13th October 1942

NOTIFICATION.

In exercise of the powers conferred by Section 2 of the Penalties Enhancement Act, 1942, (XXV of 1942), the Government of His Highness the Maharaja are pleased to declare that Sections 5 and 7 of the said Act shall have effect throughout the revenue Districts of Bangalore, Mysore, Tumkur, Chitaldrug, Kolar, Kadur and Mandya.

By Order,

M. K. Varadaraj Urs

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette,
for publication in Part IV
of the Gazette

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. P 2737 Gue/.

General and Revenue Secretariat,

Dated Bangalore, 10th October *19* 42.

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore.
Law Department.

To The Compiler, Mysore Gazette,
Bangalore.

SIR,

I am directed to forward herewith one copy of a notification No. P. 2713/Cts. 105 42 - 3, dated 10th October 1942 and to request that the said Notification may kindly be published to-day in a Gazette Extraordinary.

I have the honor to be.

Sir,

Your most obedient servant,

10/10

Secretary to Government,
Law Department.

No. P2439 of 10.10.42

To

The Registrar

High Court

Sir

I am directed to request that, if ~~the High Court see no~~ there is no objection, the Registrar concerned may be asked to bring to the notice of all the subordinate Magistrates in the State the suggestion that convicted persons to sentence whipping wherever admissible, in lieu of imprisonment, particularly in the case of juveniles to avoid their being detained in jail in contact with other criminals, as complete segregation is impossible in the present condition of over crowding in jails.

Lhjr to appd

I have etc

10-10-42

Secy to Govt

Law Dept

R.-O. C. No. R. Dis. No. 10 42-43
Dis.
ER. Cur.

2519342

HIGH COURT OF MYSORE,

Bangalore, 16th October 1942.

FROM

N. SAMAIENGAR, Esq., B.A., LL.B.,
~~XXXX

Rec'd No. 10
42-43

High Court of Mysore,
Bangalore,
Dated 16th October 1 9 4 2.

From

N. Samaiengar, Esq., B.A., LL.B.,
Registrar, High Court of Mysore,
BANGALORE.

To

The District Magistrates
of all the Districts.

Sir,

I am directed to invite your attention to the fact that the jails of the State are now over-crowded and so it is difficult to keep juvenile convicts who are sentenced to imprisonment away from other convicts in them. I am therefore to suggest that you should consider whether in the present circumstances it is not desirable to sentence juvenile convicts of the male sex to whipping rather than to imprisonment and perhaps to order whipping more often than is usual in other cases also.

I have the honour to be,
Sir,
Your most obedient servant,

Sd. N. Samaiengar,

REGISTRAR.

"COPY"

N. Samaiengar

REGISTRAR.

GRA/-